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REMARKS

Claims 1-5 and 7-16 are pending in the above-referenced patent application. In this response, claims 3, 9-12 and 14-16 have been amended. It is noted that claims 3, 9-12 and 14-16 were not amended to overcome the rejections and objections, or in light of the cited references. Rather, claims 3, 9-12 and 14-16 were amended to more clearly delineate intended subject matter. Furthermore, it is believed that these amendments do not narrow claim scope. Rather, in some cases, the claims are even broadened. Therefore, no prosecution history estoppel should result from these claim amendments.

In the Office Action dated December 23, 2005, the Examiner objected to claims 3, 10, 14 and 15 for informalities; and rejected claims 9-16 under 35 U.S.C. 102(e) as being anticipated by Aoki (U.S. Patent No. 6,559,981). These rejections are respectfully traversed.

Assignee has amended claims 3, 10, 14 and 15 in accordance with Examiner's suggestions. For example, claims 3, 10, 14 and 15 were amended to correct various typographical errors noted by the Examiner. It is respectfully requested that the Examiner withdraw her objections to these claims.

Assignee respectfully submits that Aoki does not show or describe each and every element of the rejected claims, as amended, and, therefore, a prima facie case under 35 U.S.C. 102(e) has not been established. As just an example, referring to claim 9, as amended, Aoki does not show or describe at least, "receiving a shading value obtained from a compensation procedure for an even-numbered pixel and an odd-numbered pixel of a scanning device" as recited in claim 9, as amended.

Aoki is directed toward correcting level differences between end portions of a scanned image. Aoki does not show or describe "receiving a shading value obtained from a compensation procedure" for obtaining shading values, but, rather, only briefly describes a

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shading correction circuit. For example, quoting from col 4:52 – col 4:60, "The shading correction circuit 3 corrects the signal corresponding particularly to both end portions in the main-scanning. The pixel data, which have been shading corrected by the shading correction circuit 3, are subjected to correction by an odd-even correction circuit 4."

As apparent from the cited description of Aoki, there is no description of "receiving a shading value obtained from a compensation procedure" as recited in claim 9, as amended, and, therefore, Aoki does not show or describe each and every element of the rejected claims. Thus, a prima facie case under 35 U.S.C. 102(e) has not been established.

It is noted that many other bases for traversing the rejection could be provided, but Assignee believes that this ground is sufficient. Assignee respectfully submits that because Aoki fails to disclose each and every element of the rejected claims, a prima facie case under 35 U.S.C. 102(e) has not been established, and claim 9, as amended, is in condition for allowance. Additionally, claims 10-16 are in a condition for allowance for the same and/or similar reasons as presented with reference to claim 9, as amended. It is respectfully requested that the Examiner withdraw the rejections of these claims also.

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CONCLUSION

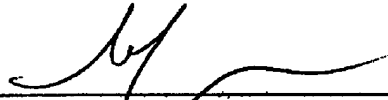
In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at (503) 439-6500. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: _____

3-23-06



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